

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL**

Case No. EDCV 22-678 JGB (SPx)Date April 21, 2022Title *Jeffrey Sherburne, et al. v. Walter Bowman, et al.*Present: The Honorable JESUS G. BERNAL, UNITED STATES DISTRICT JUDGEMAYNOR GALVEZNot Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order DISMISSING Plaintiffs' Complaint for Lack of Jurisdiction (IN CHAMBERS)

On April 20, 2022, Plaintiffs Thomas Brackin, Keith Manley, James Pollard, Richard Perry, and Does 1 through 10 (collectively, “Plaintiffs”) filed a complaint against Defendants Walter Bowman, Bruce Dalfonso, James Nash, Amy Horlock, Joanne Deacon, Glenn Sailor, Del Mitchum, The Colony at California Oaks Homeowners Association (“The Colony”), and Does 1 through 10 (collectively, “Defendants”). (“Complaint,” Dkt. No. 1.) Plaintiffs allege that the Court has subject matter jurisdiction. (*Id.* at 2.) However, Plaintiffs only assert state law claims under California’s Davis-Stirling Common Interest Development Act, none of which give rise to federal questions. (*Id.* at 19–22.) Nor do Plaintiffs establish the existence of diversity jurisdiction, as they allege that all parties, except The Colony, are property owners in the same residential housing community in Murrieta, California. (*Id.* at 2–5.) Though Plaintiffs fail to specifically allege The Colony’s citizenship, they offer no facts that show The Colony is a diverse Defendant. Accordingly, the Court finds that it lacks subject matter jurisdiction over the action. The Court DISMISSES the Complaint. The Clerk of the Court is directed to close the case.

IT IS SO ORDERED.